REMARKS

Claims 144, 146-147, 149-152, 154, 156 and 158-163 are in this application.

In the Office Action dated September 15, 2003, all the claims were rejected as unpatentable over Klingler et al. (Patent No. 5,404,316) and Burns (Patent No. 6,014,137).

The independent claims are claims 162 and 163.

Claim 162 is representative and recites in pertinent part:

"a plurality of modules for selectively performing one or more of editing, composing, and special effects processing on a plurality of clips to produce a first resultant clip, said modules being operable to perform processing on said first resultant clip to produce a second resultant clip; and

display means for displaying a table of horizontally aligned rows and vertically aligned columns, said table including at least textual indicia identifying those clips subjected to said processing to produce said first resultant clip, and said indicia indicating the type of processing performed on said clips, said table further identifying the second resultant clip produced as a result of processing performed on said first resultant clip, and indicating the type of processing performed thereon, said table further indicating a duration of said first resultant clip."

During the telephone interview held on January 9, 2004 between the Examiner and Applicants' attorney, for which the Examiner is thanked, claim 162 was discussed and the Examiner agreed to more favorably consider the claims as amended herein (see Interview Summary, Paper No. 30).

An example of a table displayed by the claimed display means is illustrated in Fig. 13, and described at the last paragraph of page 74 through the first paragraph of page 79, of the present application. The table in Fig. 13 includes rows and columns showing textual indicia identifying the clips which appear in Applicants' Fig. 4. Consider the entries for a first resultant clip identified by the Clip ID Code "008," in the eighth row of the table in Fig. 13. In the column labeled "Child Link ID Code," at the eighth row of that column, the reference numerals "003," "002" and "001" (Clip ID Codes) identify the three clips subjected to processing to

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produce first resultant clip "008." Further, in the column labeled "Module ID Code," at the eighth row of that column, the letter "C" indicates the type of processing, Composing Processing, performed on clips "003," "002" and "001" in producing first resultant clip "008." In a similar manner, textual indicia in the tenth row of the table indicates that a second resultant clip, clip "010," is produced by performing Editing Processing (denoted by "E" in the Module ID Code column) on the first resultant clip "008" and the clip having ID code "009" (respectively identified in the Child Link ID Code column). Further, in the column labeled "Duration," at the eighth row of that column, the table indicates a duration "4:47:00" of the first resultant clip "008."

In the present Office Action at paragraph 2, The Examiner relies on Klingler, in particular, elements 70 and 72 of Figure 3, and lines 57-70 of col. 16, for disclosing the claimed display means. Applicants submit, however, that Klingler, even when supplemented by Burns, fails to suggest a "display means for displaying a table of horizontally aligned rows and vertically aligned columns, said table including at least textual indicia identifying those clips subjected to said processing to produce said first resultant clip, and said indicia indicating the type of processing performed on said clips, said table further identifying the second resultant clip produced as a result of processing performed on said first resultant clip, and indicating the type of processing performed thereon, said table further indicating a duration of said first resultant clip." Instead, Fig. 3 of Klingler illustrates a multi-window display 42 in which the "Windows" menu is pulled down. The GUI includes a number of so-called "movie views" 70, 72 which display icons associated with clips, and from which the user can edit selected clips of a movie. Although each movie view is said to provide a "different perspective from which clips can be viewed, analyzed and modified" (see also lines 48-55 of col. 6), the movie view fails to indicate,

for example, what type of modification (for example, editing, composing, or special effects processing) is performed on the clips and also the duration thereof. Instead, the movie view called "Player View" 70, for example, merely offers a viewing screen for playing or stopping an entire movie or selected clip therefrom. Further, it becomes particularly clear in a side-by-side comparison that Fig. 3 of Klingler bears no resemblance to Applicants' Fig. 13 exemplifying the claimed display means. The Examiner also cited lines 57-70 of col. 16 of Klingler, which mention a "special effects library," but fails to disclose the claimed display means. Indeed, this portion of Klinger, upon which the Examiner relies, does not teach or even suggest "textual indicia identifying those clips" that were processed to produce the first resultant clip, or the type of such processing; or "identifying the second resultant clip produced" that was produced by processing the first resultant clip; or indicating the type of such processing, or clip duration, as recited in claims 162 and 163.

The Examiner, on page 3 of the Office Action, concedes that "Klinger fails to teach having at least textual indicia identifying those clips subjected to said processing to produce said first resultant clip," but asserts that "Burns teaches a table including having at least textual indicia identifying those clips (fig 2a; col. 6, lines 30-42)." Fig. 2A of Burns shows a screen of an electronic kiosk for presenting information to users at, for example, a ski resort. Buttons 21 with textual labels 22 identify categories of information, for example, "restaurants," "shops," etc., available about the resort. However, the textual labels fail to identify, for example, clips edited to produce a resultant clip, and, in particular, the type of edit processing performed, and the clip duration. Instead, when a user activates, for example, the restaurant button in the upper left corner of the screen, the main window 24 displays an image (photos, video clips, etc.) of the ski area overlaid with more buttons 26 identifying particular restaurants at the resort. The

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Examiner also cites lines 30-42 of col. 6 of Burns, which mention a "table." This table however, does not, for example, identify clips edited to produce resultant clips, clip duration, and the type of edit processing performed. Instead, the table refers to computer code and data structure utilized by a software programmer to design the layout and functionality of the above-described kiosk screen.

Thus, it is respectfully submitted that the Examiner has found no reference that describes a "display means for displaying a table of horizontally aligned rows and vertically aligned columns, said table including at least textual indicia identifying those clips subjected to said processing to produce said first resultant clip, and said indicia indicating the type of processing performed on said clips, said table further identifying the second resultant clip produced as a result of processing performed on said first resultant clip, and indicating the type of processing performed thereon, said table further indicating a duration of said first resultant clip."

Applicants, by their attorney, have made a diligent effort to point out how their claimed invention is patentably distinct over the prior art particularly relied upon by the Examiner. It is urged that the present application now is in condition for allowance; and notice to that effect is respectfully solicited. Nevertheless, the Examiner is cordially invited to telephone Applicants' attorney if discussions of this application would be helpful in advancing its prosecution.

Statements appearing above in respect to the disclosures in the cited references represent the present opinions of the undersigned attorney and, in the event the Examiner disagrees with any of such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

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Please charge any additional fees that may be needed, and credit any overpayment, to our

Deposit Account No. 50-0320.

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

Paper No. 32

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on __2/06/04__ is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐   1. Amendments to the specification:
     ☐   A. Amended paragraph(s) do not include markings.
     ☐   B. New paragraph(s) should not be underlined.
     ☐   C. Other _____

☐   2. Abstract:
     ☐   A. Not presented on a separate sheet. 37 CFR 1.72.
     ☐   B. Other _____

☐   3. Amendments to the drawings: _____

☒   4. Amendments to the claims: _____
     ☐   A. A complete listing of all of the claims is not present.
     ☐   B. The listing of claims does not include the text of all claims (including withdrawn claims)
     ☐   C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
     ☒   D. The claims of this amendment paper have not been presented in ascending numerical order.
     ☐   E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf .

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

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